

IN THE CIRCUIT COURT OF MINGO COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,

Plaintiff,

v.

JERRY SWAFFORD,

Defendant.

INDICTMENT NO. J17-F11

Mingo County Circuit Court
2011 JAN 21 PM 1:16

PLEA AGREEMENT

Now come the State of West Virginia by Prosecuting Attorney, Jonathan "Duke" Jewell, and the Defendant, Jerry Swafford, by counsel, C. Christopher Younger, and tender the following plea agreement:

1. The Defendant will plead guilty to Sexual Abuse in the First Degree as charged in Count I of Indictment J17-F11. The penalty for Sexual Abuse in the First Degree as set forth in West Virginia Code and § 61-8B-7(a) is confinement in a state correctional facility for an indefinite term of not less than one (1) year nor more than five (5) years or a fine of not more than ten thousand dollars (\$10,000.00) and confinement in a state correctional facility for an indefinite term of not less than one (1) year nor more than five (5) years.
2. The State of West Virginia will recommend that the Defendant be sentenced to an indefinite period of one (1) years to five (5) years confinement in a state correctional facility and no fine.

3. The Defendant understands that by entering his plea, he will be required to serve a period of supervised release of up to fifty (50) years upon the expiration of the respective sentence pursuant to West Virginia Code §62-12-26(a), et seq.
4. The State of West Virginia will recommend that the Defendant serve a period of ten (10) years on supervised release.
5. The Defendant understands that by entering his plea, he will be subject to the provisions of the sexual offender registration act, as set forth in 61-8F-1 et seq of the West Virginia Code.
6. The State of West Virginia will recommend that the Defendant receive credit for all time served in any regional jail relative to this matter;
7. The State of West Virginia will seek dismissal of the remaining charges contained in Indictment No. J17-F11.
8. The State of West Virginia reserves the right to comment on post-conviction matters.
9. The Defendant will be required to give a factual basis for the within plea.
10. There have been no promises or representations made to the Defendant by the State of West Virginia or any agent thereof as to the final disposition of this case. The State of West Virginia's sentencing recommendation is not binding upon the Court. The within plea is not conditioned upon the Court following the State of West Virginia's sentencing recommendation.

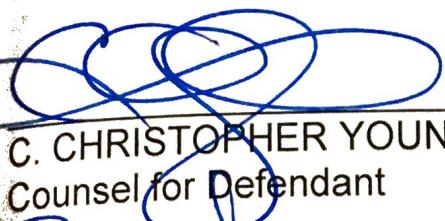
11. The Defendant knowingly, voluntarily and intelligently signed this plea agreement after consulting with counsel and fully understanding the consequences thereof.
12. The foregoing terms and conditions constitute the entire plea agreement between the State of West Virginia and the Defendant.

WHEREFORE, the State of West Virginia and the Defendant respectfully move this Honorable Court to approve the foregoing plea agreement.



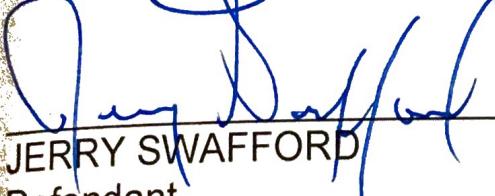
JONATHAN "DUKE" JEWELL
Mingo County Prosecuting Attorney

01-26-17
Date Signed



C. CHRISTOPHER YOUNGER
Counsel for Defendant

1-27-17
Date Signed



JERRY SWAFFORD
Defendant

1-27-17
Date Signed